

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

592S0634

SENATE BILL NO. 142

Introduced by: Senator Gray and Representative Abdallah

1 FOR AN ACT ENTITLED, An Act to repeal the requirement that members of certain boards
2 and commissions receive the advice and consent of the Senate.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-11-12 be amended to read as follows:

5 11-11-12. The powers of the authority shall be vested in seven commissioners, who shall
6 be residents of the state, to be appointed by the Governor, ~~with the advice and consent of the~~
7 ~~senate~~. Not more than four of the commissioners ~~shall~~ may be of the same political party.

8 Section 2. That § 1-16I-7 be amended to read as follows:

9 1-16I-7. The governing and administrative powers of the authority are vested in its board
10 of directors consisting of five members. The Governor shall appoint the directors, ~~with the~~
11 ~~advice and consent of the Senate~~. Not all members of the board may be of the same political
12 party. The terms of the members of the board may not exceed six years. The terms of the initial
13 board of directors shall be staggered by the drawing of lots so that not more than two of the
14 director's terms shall end at the same time. Members of the board may serve more than one term.

15 Section 3. That § 3-6A-4 be amended to read as follows:



1 3-6A-4. There is created a Career Service Commission. The Career Service Commission
2 consists of five members, not all of whom may be of the same political party. The members
3 shall be appointed by the Governor for four-year terms, ~~with the advice and consent of the~~
4 ~~Senate~~. Any member appointed to fill a vacancy arising from other than the natural expiration
5 of a term shall serve for only the unexpired portion of the term.

6 Section 4. That § 13-47-1 be amended to read as follows:

7 13-47-1. There is created the South Dakota Board of Directors for Educational
8 Telecommunications, which shall consist of the commissioner of information and
9 telecommunications or an authorized representative, the executive director of the Board of
10 Regents or an authorized representative, a representative of the Bureau of Information and
11 Telecommunications selected by the secretary, and six others appointed by the Governor ~~with~~
12 ~~the advice and consent of the senate~~. At least one of the appointive members shall be
13 representative of the nonpublic institutions of higher education in the state. The terms of the
14 appointive members of the board shall be for a period of three years, two terms expiring each
15 year. Not more than four of the appointive members may be from the same political party.

16 Section 5. That § 20-13-2 be amended to read as follows:

17 20-13-2. The State Commission of Human Rights shall consist of five members appointed
18 by the Governor, ~~by and with the consent of the Senate~~, no more than three of whom ~~shall~~ may
19 be from the same political party and two of whom shall, in the opinion of the Governor, be
20 experienced in or have a favorable reputation for skill, knowledge, and experience in the
21 management or operations of a business enterprise. Appointments shall take into consideration
22 geographical area insofar as may be practicable. Members appointed to the commission shall
23 serve for a term of four years expiring June thirtieth of an odd-numbered year. Vacancies on the
24 commission shall be filled by the Governor by appointment for the unexpired part of the term

1 of the vacancy. Any commissioner may be removed from office by the Governor for cause.

2 Section 6. That § 23A-28B-3 be amended to read as follows:

3 23A-28B-3. There is created the South Dakota Crime Victims' Compensation Commission,
4 which shall consist of five residents of the state, three of whom shall be appointed by the
5 Governor ~~and confirmed by the Senate~~ as follows:

6 (1) One member shall be a law enforcement officer with a minimum of five years'
7 experience in a law enforcement agency which has among its primary duties the
8 investigation of violent crimes;

9 (2) One member shall be a physician or a person who, in the opinion of the Governor,
10 has experience or knowledge in the processing and evaluation of medical claims; and

11 (3) One member shall be ~~an individual~~ a person with experience in providing victim
12 assistance services, either through employment with a governmental agency which
13 provides such services or as an officer, employee, or volunteer of a nonprofit,
14 charitable crime victims' organization established pursuant to the laws of this state.

15 One member of the commission shall be appointed by the Chief Justice of the state Supreme
16 Court ~~and confirmed by the Senate~~. One member of the commission shall be appointed by the
17 attorney general ~~and confirmed by the Senate~~.

18 Section 7. That § 49-16B-3 be amended to read as follows:

19 49-16B-3. There is created the South Dakota Railroad Authority, a body corporate and
20 politic, to consist of seven members appointed by the Governor, ~~by and with the advice and~~
21 ~~consent of the Senate~~. No person may be appointed to the authority who is an elected official
22 of the State of South Dakota or any subdivision thereof. The authority shall annually choose a
23 chairperson from its membership.